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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/600,260	07/13/2000	Pessach Seidel	2111-15	9630

23117 7590 06/30/2005

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER

CIRIC, LJILJANA V.

ART UNIT	PAPER NUMBER
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3753

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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*09/600,260**07/13/2000**SEIDEL**2111-15*

EXAMINER

CIRIC

ART UNIT

PAPER

3753

06222005

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Commissioner for Patents

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ljiljana (Lil) V. Ciric whose telephone number is 571-272-4909. The examiner can normally be reached on Mondays through Fridays from 10:00 a.m. to 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Mancene, can be reached at 571-272-4930.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ljiljana (Lil) V. Ciric
Primary Examiner
Art Unit: 3753

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/600,260	SEIDEL, PESSACH	
	Examiner	Art Unit	
	Ljiljana (Lil) V. Ciric	3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 07 June 2005 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.


Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☒ entered in part. See explanation below.

After the filing of an application, adding an incorporation-by-reference statement in a benefit claim is NOT permitted because no new matter can be added to an application after its filing date. See 35 USC 132(a) and *Dart Industries v. Banner*, 636 F.2d 684, 207 USPQ (CADC 1980). Thus, only the first two sentences of the amendment to the specification are being entered, whereas the third/last sentence relating to incorporation by reference is NOT being entered.


Gene Mancene
Supervisory Patent Examiner
Group 3700


Ljiljana (Lil) V. Ciric
Primary Examiner
Art Unit: 3753